

Perry R. Clark California Bar No. 197101
KIRKLAND & ELLIS LLP
555 California Street
San Francisco, CA 94104
Telephone: (415) 439-1400
Facsimile: (415) 439-1500
pclark@kirkland.com

Peter J. Armenio
John C. Spaccarotella
Admitted *Pro Hac Vice*
KIRKLAND & ELLIS LLP
153 East 53rd Street
New York, NY 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900
parmenio@kirkland.com
jspaccarotella@kirkland.com

Attorneys For Defendants
AMERICAN EXPRESS COMPANY and
AMERICAN EXPRESS TRAVEL RELATED
SERVICES COMPANY, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

PRIVASYS, INC.,

Plaintiff,

v.

AMERICAN EXPRESS COMPANY and
AMERICAN EXPRESS TRAVEL RELATED
SERVICES COMPANY, INC.,

Defendants.

NO. C 08 1072 SI

**STIPULATION AND [PROPOSED] ORDER
EXTENDING TIME FOR DEFENDANTS
AMERICAN EXPRESS COMPANY AND
AMERICAN EXPRESS TRAVEL RELATED
SERVICES COMPANY INC. TO ANSWER
OR OTHERWISE RESPOND TO THE
COMPLAINT**

Pursuant to Civil Local Rules 6-1 and 7-12, Plaintiff PrivaSys, Inc. ("Plaintiff") and Defendants American Express Company and American Express Travel Related Services Company, Inc. (collectively "Defendants"), by and through counsel, hereby stipulate as follows:

WHEREAS on February 22, 2008, Plaintiff filed its Complaint;

WHEREAS on April 1, 2008, Defendants were served the Complaint;

WHEREAS on April 14, 2008, the parties agreed to a one-month extension for the Defendants to respond to the Complaint by May 21, 2008;

WHEREAS the Plaintiff and Defendants have been engaged, and are still engaging, in potential settlement discussions;

WHEREAS the Defendants have requested a further two-week extension of time to answer or otherwise respond to the Complaint and Plaintiff has agreed;

NOW THEREFORE the parties through their undersigned counsel hereby stipulate as follows:

Defendants shall file and serve their answers or other responses to the Complaint on or before June 4, 2008.

IT IS SO STIPULATED:

Dated: May 21, 2008

KIRKLAND & ELLIS LLP

By: /s/ John C. Spaccarotella
John C. Spaccarotella

Attorneys for Defendants
AMERICAN EXPRESS COMPANY and
AMERICAN EXPRESS TRAVEL RELATED
SERVICES COMPANY, INC.

Dated: May 21, 2008

HOSIE RICE LLP

By: /s/ Spencer Hosie
Spencer Hosie

Attorneys for Plaintiff PRIVASYS, INC.

1 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
2 "conformed" signature (/S/) within the e-filed document.

3
4 Date: May 21, 2008

_____/s/ John C. Spaccarotella_____
John C. Spaccarotella

ORDER

Good cause appearing therefore, IT IS HEREBY ORDERED that Defendants American Express Company and American Express Travel Related Services Company, Inc. shall file or serve their answers or otherwise respond to the Complaint on or before June 4, 2008.

IT IS SO ORDERED.

DATED: _____

The Honorable Susan Illston